

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, July 13, 2015
TIME: 1:00 p.m.
PLACE: Hamilton County Courthouse

The Planning Commission minutes are digitally recorded and are located on our website www.chcrpa.org by going to the Development Services tab then Monthly Zoning Information and then under Planning Commission Meeting Minutes. This is an abbreviated version which show who made the motion, what the motion was and who seconded it. It also says if there was opposition or not.

Present:

County Commissioner Chester Bankston, Mr. Y. L. Coker, Mr. Jason Farmer, City Councilman Chip Henderson, Ms. Mary Kay Hiatt, Mr. Todd Leamon, (representing County Mayor Jim Coppinger), Mr. David Mathews, Mr. Eric Myers, Mr. Don Moon, Mr. Jimmy Parks, Mr. Barry Payne, Mr. Adam Veron, Ms. Donna Williams (representing City Mayor Andy Berke), Ms. Velma Wilson and Chairman Ethan Collier

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Ms. Sandra Harrison, Mr. Bryan Shults, Ms. Karen Rennich, Ms. Sarah Robbins, Ms. Pattie Dodd, Mr. Karen Hundt, Mr. Justin Tirsun and Mr. John Bridger

**Planning
Agency
Staff**

Public Hearing

The procedure followed in presenting each petition was as follows:

- 1) Presentation of maps and photos of the area showing zoning and land use.
- 2) Exceptions to this procedure come when the staff recommends approval, and no opposition is present.
- 3) The applicant will be given 7 minutes to present his case. Opposition, if any, will be given 9 minutes and the applicant will then have 2 minutes for rebuttal.

**Public
Hearing
Procedure**

Subdivision Plats & Variances

Mr. Greg Haynes presented the subdivision plats & variance requests to the Commission.

Variances

Seebeck on Brittany Farm Lane-Lots 1 and 7-Lot Less than the minimum required five (5) acres on a private road/easement
(Hamilton County District 9)

Seebeck
Opposition
Defer 30 days

Mr. Jim Richmond of Richmond Surveying Company addressed the Commission regarding this variance request. He stated that the Seebeck's don't feel they need a variance and gave reasons why.

Speaking in opposition was Ms. Elanor Williams of 9075 Brittany Farm Lane.

Mr. Jason Farmer made motion to **defer 30 days**. Ms. Mary Kay Hiatt seconded the motion and motion to defer 30 days carried.

Hampton Meadows, Phase II- Lots 1 thru 148-Minimum centerline radius for proposed Road "C" (Hamilton County District 9)

Hampton
Meadows
Approved

Mr. Barry Payne made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and motion to approve staff recommendation carried.

Preliminary Plats

Hampton Meadows PUD, Phase II-Lots 1 thru 148 (Hamilton County District 9)

Hampton
Meadows
Approved

Mr. Barry Payne made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and motion to approve staff recommendation carried.

Residence of Cambridge Square PUD-Lots 1 thru 104
(Hamilton County District 9)

Residence
Cambridge
App w/conds

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Jason Farmer seconded the motion and the motion to approve staff recommendation carried with Mr. David Mathews and Mr. Barry Payne recusing.

Amberbrook Gardens PUD, Phase III-Lots 113 thru 160
(City of Chattanooga District 3, Hamilton County District 3)

Amberbrook
App w/conds

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Eric Myers seconded the motion and motion to approve staff recommendation carried.

Waterstone Ridge PUD-Lots 1 thru 62
(City of Chattanooga District 3, Hamilton County District 9)

Waterstone
App w/conds

Mr. Haynes informed the Commission that an amendment to the condition needs to be added to read as follows: **"to keep the required 50' ROW for all roads and change the required 26' of pavement for all roads except Road C, which can have 24' of**

pavement, except where fire hydrants are to be located the pavement is to flaire out to 26'."

Mr. Todd Leamon made motion to approve the staff recommendation with the amended condition. Mr. Chip Henderson seconded the motion and motion to approve staff recommendation with amended condition carried.

Final Plat

Seebeck on Brittany Farm Lane-Lots 1 and 2 (Hamilton County District 9)

Seebeck
Opposition
Denied

Mr. Todd Leamon made motion to approve staff recommendation to deny. Mr. Eric Myers seconded the motion and motion to approve staff recommendation to deny carried.

Final Plat-Extension Request

Providence Point PUD-Lots 118 thru 241 (Hamilton County District 9)

Approve
Staff Rec

Mr. Jason Farmer made motion to approve staff recommendation. Ms. Mary Kay Hiatt seconded the motion and motion to approve staff recommendation carried.

Old Business

Case No. 2015-048 – Pat Neuhoff/Neuhoff Taylor Architects – 902, 904, 910, 914 & 918 East 8th Street – City of Chattanooga – From R-1 to R-4

2015-048
Opposition
App w/conds.
City Dist # 8

Mr. Haynes gave the presentation and explained staff recommendation to **approve**, subject to:

1. Review.

The following review shall be required to promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures.

- A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:
 - (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.
 - (2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.
 - (3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.
- B. For any activity requiring a residential building permit for new construction:

- (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.
2. Setbacks.
 - A. For new buildings three (3) stories in height, a maximum twenty-five (25) foot front yard setback is required along the street frontage.
 - B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, a maximum twenty-five (25) foot front yard setback is required along the street frontage.
3. Height Requirements.
 - A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
 - B. The maximum height of all new buildings shall be three (3) stories.
4. Access to sites and buildings.
 - A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.
 - B. Alleys, where they exist, shall be used as the principal vehicular access.
 - C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.
 - D. Shared drives should be used wherever possible.
 - E. The primary pedestrian entrance to new buildings shall be provided from the primary street.
5. Off-street parking.
 - A. New off-street parking shall not be permitted between a building and 8th Street or Palmetto Street.
 - B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:
 - (1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.
 - (2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.
 - C. Garages for new residential dwellings shall be located behind the primary building.
 - D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:
 - (1) Proximity to transit stops

- (2) Provision of bicycle facilities
- (3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
- (4) Type of uses and hours of operation
- (5) Square footage of commercial uses or number of residential units
- (6) Fire Department access

6. Street Frontage.

A. Where a street edge is required, it shall be provided as follows:

- (1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
 - a. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - b. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
 - c. An evergreen hedge, with a minimum height at maturity of 3 feet.
 - d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- (2) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- (3) No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- (4) All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

7. Land Uses

A. Residential uses only.

The applicant, Mr. Pat Neuhoff of Neuhoff Taylor Architects addressed the commission regarding his request.

Speaking in opposition was Mr. Justin Tirsun of 809 Central Avenue. Mr. Tirsun informed the Commission that he was a Board member of the M. L. King Neighborhood Association.

Mr. Chip Henderson made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-064 – John & Karen Hawkins/Peggy Holder – 4155 Randolph Circle – City of Chattanooga – From A-1 to C-2

2015-064
WITHDRAWN
City Dist #5

Mr. Haynes informed the Commission that the applicant has asked that this request be withdrawn.

Mr. Jason Farmer made motion to accept the request to withdraw. Mr. Y. L. Coker seconded the motion and motion to accept the request to withdraw carried.

New Business

Rezoning, Closures/Abandonments, Special Permits, Condition Amendments

Case No. 2015-084 – Dan Rose/Charles W. Hand, Jr. – 20 East 14th Street – City of Chattanooga – From M-1 to C-3

2015-084
App w/conds.
City Dist #8

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to the following conditions:

1. Review.

The following review shall be required to promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures.

A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:

(1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

(2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.

(3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

B. For any activity requiring a residential building permit for new construction:

(4) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

(2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

3. Height Requirements.

A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.

B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be four (4) stories.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall

be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

A. New off-street parking shall not be permitted between a building and the primary street frontage.

B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

(1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

(2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

C. Garages for new residential dwellings shall be located behind the primary building.

D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:

(1) Proximity to transit stops

(2) Provision of bicycle facilities

(3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking

(4) Type of uses and hours of operation

(5) Square footage of commercial uses or number of residential units

(6) Fire Department access

6. Street Frontage.

A. Where a street edge is required, it shall be provided as follows:

(1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:

(2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or

(3) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or

(4) An evergreen hedge, with a minimum height at maturity of 3 feet.

(5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

B. Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.

C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots.

a. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.

D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.

E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

There was no one present in opposition.

Mr. Chip Henderson made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-085 – Valor – 7627, 7641, 7671, 7683 & 7691 Shallowford Road – City of Chattanooga – From O-1 to R-4

2015-085
Opposition
App w/conds.
City Dist #4

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to the following conditions: 1) The following uses shall be prohibited: multiple-family dwellings, banks and bank branches, drug stores or restaurants in office buildings of four (4) or more stories, radio, television and motion picture production studios, excluding transmission towers; 2) Maximum density of 8 units per acre, as recommended by the land use plan; 3) All lighting shall be directed internally onsite; 4) A 20' Type B landscape buffer shall be provided as a minimum from all residentially zoned property lines; 5) A maximum height restriction of 3 stories shall be for the entire site; 6) Dumpsters serviced between 8:00am and 7:00pm; and 7) Deliveries by large commercial trucks shall be between 8:00am and 7:00 pm.

Mr. Ken Defoor of 6110 Shallowford Road addressed the Commission regarding this request. Mr. Bob Lewis with Resort Lifestyle Communities, 8040 Aiger Drive in Lincoln, Nebraska, spoke regarding traffic generation for these type properties.

Speaking in opposition was Mr. Henry Hoss of 2425 Baskette Way, Mr. Philip Siley, President of Ashwood Neighborhood Association, Mr. Joe Shultz of 2533 Baskette Way and Ms. Nancy Collins of 7604 Asherton Lane.

Mr. Chester Bankston made motion to approve **subject to the following conditions:**

- 1. Assisted living facility only**
- 2. No stand-alone banks, offices or drug stores.**
- 3. Maximum density of 11.3 units per acre.**
- 4. All lighting shall be directed internally onsite.**
- 5. A 20' Type landscape B buffer shall be provided as a minimum from all residentially-zoned property lines, except where less is needed as determined by the City landscape inspector to accommodate any stream(s) and/or detention ponds**
- 6. A maximum height restriction of 3 stories shall be for the entire site**
- 7. Dumpsters serviced between 8:00am and 5:00pm**
- 8. Deliveries by large commercial trucks shall be between 8:00am and 7:00pm.**

Mr. Y. L. Coker seconded the motion and motion to approve with amended conditions carried with Mr. David Mathews recusing.

***** Chairman Collier left the meeting at this time and Mr. Todd Leamon took the chair.**

Case No. 2015-087 – Collier Construction/C. Richard Posey – 8118 Hitchcock Road – City of Chattanooga – Special Exception Permit: Residential Planned Unit Development

2015-087
Opposition

Mr. Haynes gave the presentation and explained staff recommendation to **approve**.

Ms Donna Shepherd of AD Engineering Services addressed the Commission regarding this request. Mr. Gabe Thomas of Collier Construction and who resides at 5877 Courtyard Circle in Chattanooga, gave clarification of total number of units.

Speaking in opposition was Ms. Shiley Harper of 1609 Ashley Mill Drive (she submitted a petition of opposition with 78 signatures to the Commission), Mr. Philip Mabrey of 8210 Hitchcock Road, stated he and his wife own property immediately east of the proposed subdivision, Attorney John Anderson representing residents of 8208 Gatehouse Crossing and also representing Joe & Cindy Hanna of 8213 Gatehouse Crossing, and Mr. Paul Smith, current President of the Ashley Mill Homeowner's Association.

Mr. Chester Bankston made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

*******Chairman Collier returns to chair.**

Case No. 2015-088 – Craig Kronenberg/JB Holdings/Mark Jarvis - 801 Riverfront Parkway - City of Chattanooga – From M-1 to C-3

2015-088
App w/conds
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to **approve**, **subject to:**

1. Review.

The following review shall be required to promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures.

A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:

(1)The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

(2)The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.

(3)All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

B. For any activity requiring a residential building permit for new construction:

(5) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage for buildings fronting Riverfront Parkway.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

(2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.

C. B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

C. For properties fronting the Tennessee River, a public easement a minimum of thirty-five (35) feet in width shall be provided along the river for the continuation of the Riverwalk.

3. Height Requirements.

A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.

B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be 75 feet.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

A. New off-street parking shall not be permitted between a building and the primary street frontage.

B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

(1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

(2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

C. Garages for new residential dwellings shall be located behind the primary building.

D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:

(1) Proximity to transit stops

(2) Provision of bicycle facilities

(3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking

(4) Type of uses and hours of operation

(5) Square footage of commercial uses or number of residential units

(6) Fire Department access

6. Street Frontage.

- A. Where a street edge is required, it shall be provided as follows:
- (1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
 - (2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - (3) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
 - (4) An evergreen hedge, with a minimum height at maturity of 3 feet.
 - (5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- B. Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots.
- a. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.
- D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

There was no opposition present.

Mr. David Mathews made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-089 – John Murphy/Gary Fillers/Jeffery & Nancy Fillers – 1701 Broad Street – City of Chattanooga – From M-1 to C-3

2015-089
App w/conds
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to the standard C3 conditions.

The applicant, Mr. John Murphy of 6203 Weslen Drive in Knoxville, Tennessee 37919, was in attendance and addressed the Commission regarding his request. He questioned height restriction in the C3 and stated he was under the impression that there were no height restrictions in C3.

Mr. John Bridger had a member of RPA staff do a brief check regarding height restrictions in C3 and advised the Commission on these findings.

Mr. Jason Farmer made motion to approve staff recommendation with change to condition 3B to five (5) stories as follows:

1. Review.

The following review shall be required to promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures.

A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:

(1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

(2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.

(3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

B. For any activity requiring a residential building permit for new construction:

(1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

(2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

3. Height Requirements.

A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.

B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be five (5) stories.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

A. New off-street parking shall not be permitted between a building and the primary street frontage.

B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

(1) Off-street parking fronting a public street shall be screened from the right-of-way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

- (2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.
- C. Garages for new residential dwellings shall be located behind the primary building.
- D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:
 - (1) Proximity to transit stops
 - (2) Provision of bicycle facilities
 - (3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
 - (4) Type of uses and hours of operation
 - (5) Square footage of commercial uses or number of residential units
 - (6) Fire Department access

6. Street Frontage.

- A. Where a street edge is required, it shall be provided as follows:
 - (1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
 - (2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - (3) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
 - (4) An evergreen hedge, with a minimum height at maturity of 3 feet.
 - (5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- B. Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots.
 - a. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.
- D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

Mr. Barry Payne seconded the motion and motion to approve staff recommendation with change carried with Ms. Mary Kay Hiatt and Mr. Eric Myers voting no.

Resolution Amendments

A Resolution to Amend the Chattanooga City Code, Chapter 38 Zoning Ordinance, Article V, Division 20 M-2 Light Industrial Zone and Article VI, Height and Area Exceptions and Other Special Exceptions **Zone Ord Amen**
Ethanol
Approved

Mr. Chip Henderson made motion to approve the resolution. Mr. Barry Payne seconded the motion and motion to approve carried.

A Resolution to Amend the Chattanooga City Code, Part II, Chapter 38 Zoning Ordinance, Article IV General Regulations, Section 38-25, by Adding a Provision for a "Horizontal Property Regime" **Zone Ord Amen**
Prop Regime
Approved

Mr. Barry Payne made motion to approve the resolution. Mr. David Mathews seconded the motion and motion to approve carried.

A Resolution to Amend the Chattanooga City Code, Part II, Chapter 38 Zoning Ordinance, Article VIII Board of Appeals for Variances and Special Permits, Section 38-563 to Clarify the Board's Power to Grant Variances

**Zone Ord Amend
BOZA Variance
Approved**

Mr. Chip Henderson made motion to approve the resolution. Mr. Eric Myers seconded the motion and motion to approve carried.

Government Mandatory Referrals

Case No. MR-2015-096 – City of Chattanooga Real Property Office/Gail Hart – 709 Broad Street, 114 & 116 West 7th Street – City of Chattanooga – MR: Lease Agreement

**MR-2015-096
Approved
City Dist #7**

Mr. Barry Payne made motion to approve. Mr. Y. L. Coker seconded the motion and motion to approve carried.

Case No. MR-2015-097 – City of Chattanooga Real Property Office/Gail Hart – 399 McCallie Avenue – City of Chattanooga – MR: Lease Agreement

**MR-2015-097
Approved
City Dist #7**

Mr. David Mathews made motion to approve. Mr. Eric Myers seconded the motion and motion to approve carried.

Public Comments on Non-Agenda Items

(None)

Approval of Minutes of June 8, 2015

**Minutes
June 8, 2015
Approved**

Ms. Mary Kay Hiatt made motion to approve the minutes. Ms. Velma Wilson seconded the motion and the motion to approve carried.

Adjournment:

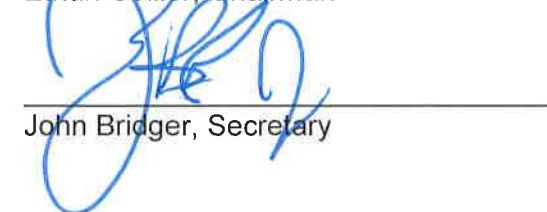
Adjourn

There being no further business, the meeting adjourned at 4:23 p.m.

Respectfully submitted,



Ethan Collier, Chairman



John Bridger, Secretary

EC:JB:sh